

Docket No.: 0152-0705PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Mutsuhiro MARUYAMA et al.

Conf. No.: 8821

Application No.: 10/537,097

Art Unit: 1796

Filed: June 2, 2005

Examiner: D.S. Metzmaier

For: COPPER OXIDE ULTRAFINE PARTICLES

**DECLARATION UNDER 37 C.F.R. § 1.131**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Madam:

1. We, Mutsuhiro Maruyama and En-Hai Sun, declare as follows:
2. We are the listed Inventors of the subject matter disclosed and claimed in the above-identified U.S. Patent application (hereinafter "the present application") and we are familiar with the prosecution history of the present application.
3. We conceived the invention claimed in the present application and made the invention claimed in the present application before December 3, 2002 as evidenced by the English translation of Japanese Patent Application No. 2002-350998 (a copy of which is attached as Exhibit A and an accurate English translation of which is attached as Exhibit B).
4. Examples 1-8 of JP 2002-350998 represent laboratory experiments that were actually performed and which were conducted in Japan before December 3, 2002.

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We each hereby declare that all statements made herein of our own knowledge are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Mitsuhiro Maruyama  
Signed/ Mitsuhiro Maruyama

Feb. 27, 2009  
Date

En-Hai Sun  
Signed/ En-Hai Sun

Feb. 27, 2009  
Date

Enclosures:

Exhibit A - Copy of JP-2002-350998

Exhibit B - English Translation of JP-2002-350998